North Central Regional Transit District
Board Meeting
Friday, November 14, 2008

1. CALL TO ORDER:

A regular monthly meeting of the North Central Regional Transit District Board was called to order on the above date at approximately 9:00 a.m. by Chairman Alfred Herrera at the Mision Museum, Plaza de Española, Española, New Mexico.

a. PLEDGE OF ALLEGIANCE

b. MOMENT OF SILENCE

c. ROLL CALL

Roll call indicated the presence of a quorum as follows:

Members Present:

City of Española Councilor Alfred Herrera, Chairman
Rio Arriba County Commissioner Elias Coríz and Mr. Tomás Campos
Santa Fe County Commissioner Harry Montoya and Mr. Jack Kolkmeyer
City of Santa Fe Councilor Rosemary Romero and Mr. Jon Bulthuis
Taos County Commissioner Charlie Gonzales and Mr. Sammy Pacheco
Pueblo of Pojoaque Councilor Cameron Martínez
Los Alamos County Mr. Anthony Mortillaro
Tesuque Pueblo Governor Robert Mora and Former Governor Charles Dorame

Members Excused

Los Alamos County Councilor Jim West

Staff Members Present

Ms. Josette Lucero, Executive Director
Ms. Linda Trujillo, Regional Coordinator
Mr. Jack Valencia, Transit Project Manager

Mr. Ivan Guillen, Assistant Regional Coordinator
Ms. Resha Spero, Executive Assistant
Mr. Mark Basham, NCRTD Legal Counsel
Ms. Marjorie Kaplan, Financial Director

Others Present

Commissioner Mike Anaya, Santa Fe County Commission, Assn of Counties President
Ms. Mary Helen Follingstad, Santa Fe RPA
Mr. Andrew Jandáček, Santa Fe County
Mr. David Harris, NMDOT

d. INTRODUCTIONS

All who were present introduced themselves to the group.

e. APPROVAL OF AGENDA

Chairman Herrera requested that 3 b and 3 c be moved ahead of item 3 a.

Commissioner Montoya moved to approve the Agenda as amended. Mr. Mortillaro seconded the motion and it passed by unanimous voice vote.

f. APPROVAL OF OCTOBER 3, 2008 BOARD MEETING MINUTES

Mr. Basham, page 10 near the bottom of the page should read, “Mr. Basham said they could NOT advocate for passage of the act.”

Commissioner Gonzales moved to approve the minutes of October 3, 2008 as amended. Mr. Kolkmeyer seconded the motion and it passed by majority voice vote with all voting in favor except Councilor Romero and Commissioner Montoya who abstained.

g. PUBLIC COMMENTS REGARDING TRANSPORTATION ITEMS OR ISSUES

None.

2. APPRECIATION AWARD: Commissioner Mike Anaya for Service as Board Chair and Santa Fe County NCRTD

Chairman Herrera thanked Commissioner Anaya for his leadership for the benefit of the entire district.

Ms. Lucero thanked him for his leadership.

Chairman Herrera presented a Nambé plaque to him in honor of his service. Commissioner Anaya thanked the Board for the gift and said he appreciated working with the staff of NCRTD and all the individuals who came to work together. It showed in the past election. It made it easy when everyone worked together. He brought Association of Counties pins for everyone.

Commissioner Coríz acknowledged that it was through his efforts as a leader to make this happen. He stressed how much they needed to work together and be united to make this happen and now they could work with the public to move forward on transit.

Commissioner Gonzales also thanked him and said Taos County was a member because of his efforts. His attitude with the NCRTD made them believe how important the RTD was for the entire region and he was glad to be part of it.

Commissioner Montoya gave his thanks also and said he was glad to be Commissioner Anaya's successor on the Board.

3. ACTION AND/OR DISCUSSION ITEMS:

b. Resolution 2008-14: Allowing the City of Santa Fe to Join the NCRTD

Ms. Lucero read Resolution 2008-14 which allowed the City of Santa Fe to join the NCRTD.

Commissioner Montoya moved to approve the resolution. Commissioner Coríz seconded the motion.

Councilor Romero thanked them for welcoming the City of Santa Fe back.

The motion passed by unanimous voice vote.

Chairman Herrera on behalf of NCRTD welcomed Councilor Romero as a member and the opportunity to work with the City and her willingness to serve as a member on the RTD.

Councilor Romero said she did not take lightly the trust placed in her to serve. She explained they actually changed their way of participating by going through the RPA or MPO. She was on the RPA with Commissioner Montoya. She felt this would bring lots of good to our communities and hoped she could be a great representative from Santa Fe.

c. Amended NCRTD Voting Strength Analysis Including City of Santa Fe – Kaplan

Ms. Lucero reported on the amended voting strength analysis that added the City of Santa Fe with all the other members at this point. She offered to answer questions. She explained that the analysis was part

of the certification to DOT in early 2004. Research was done with other RTDs to figure it out. It was done on a population base. It did not give all votes to any entity and allowed each pueblo one vote. All members got one vote just for being a member and one additional vote for populations between 10,000 and 19,999 and added another from 20,000 to 39,999 and another one for 40,000 to 79,999 and one more for those over 80,000.
The total votes were 28 and her analysis showed the units per member.
Mr. Mortillaro said a simple majority would be 15 units but asked if that was based on all members being present.
Ms. Lucero agreed and said it would vary by attendance.
Commissioner Gonzales pointed out that it might be possible to increase if other municipalities joined the NCRTD. He wanted to see a study session perhaps in a retreat to analyze this and talk about issues that would affect the entire board. They now needed to think as a region and not just as our own county. He asked if they really needed this voting strength analysis.
Chairman Herrera asked that they come back to this request under Miscellaneous and see if they could have a time frame on it.
Mr. Basham said the voting strength was needed depending on what they were voting on. It could be changed but it would require new intergovernmental contract and by-laws. Ms. Lucero agreed.
Mr. Campos said it was very complex, especially when it came to the pueblos. Now that the tax was passed, the NCRTD had to evolve. He could see Jicarilla, Chama and Edgewood showing up. They had to include Questa. So they would have to evolve.
Mr. Dorame had a problem with the membership analysis used here. He pointed out that they had people living on the reservation and presumed they were counted as county population.
Ms. Lucero said they had the same concern last time and got the numbers from the Tesuque Pueblo and took them out of the county count.
Chairman Herrera suggested they revisit the population numbers. He agreed it should be part of the retreat discussion.
Councilor Romero thought a retreat would be in order to evaluate and determine the fairest way to deal with it. She looked for staff to guide her and understood the confusion that had arisen.
Commissioner Montoya agreed. He asked what bylaws said about membership.
Ms. Lucero said it called for two representatives from each member: one elected and one appointed as a designee. There was no limit on number of members. Any town, village, or pueblo could join. Right now there were 22 members. In talking with RTDs in California and Florida, she discovered they didn't have a

board this big. But there was nothing here on limitations of that. Any governmental unit within the boundaries could become a member.
Governor Mora felt there was a need to define how the pueblos participated.
Mr. Mortillaro pointed out that the Board approved who joined. It was not automatic.
Ms. Lucero agreed.
Mr. Mortillaro said they had to accept the analysis in order to conduct business today. Mr. Basham agreed.
Councilor Romero moved to approve the membership strength analysis as presented. Commissioner Montoya seconded the motion and it passed by unanimous voice vote.

a. November 4, 2008 GRT Election Outcome Announcement – Josette Lucero

Ms. Lucero shared the voting results by county and the overall result. She thanked everyone who was part of the promotion for the GRT.
Commissioner Gonzales applauded everyone for their hard work on it. He commended all the staff and board members for it. He asked how it would work and if there was a deadline to notify TRD. He pointed out that they lost one in Taos County for failure to notify TRD. He also asked when they would start collecting the tax.
Ms. Lucero said they would start collecting in July.
Mr. Valencia agreed there was a deadline. The canvassing of the elections was in the hands of the counties but they could not miss that deadline. After canvasses were made available he would make sure the deadline was met.
All commissioners reported that canvasses would be done by next week.
Chairman Herrera said once they had the final numbers, they could notify staff and board members.
Mr. Mortillaro appreciated RTD staff for their hard work on it. They were up in Los Alamos passing out materials. It is a historic moment. We are the first RTD to pass the GRT along with Rio Metro. This was probably the first one that covered 4 counties and was quite an achievement.
Commissioner Coríz thanked staff also. He stressed that this was an evaluation also, noting that the surrounding communities not being helped by the transit all voted against it. Most of the support came within the municipality so they still needed to come up with that plan that would serve everyone. It was through the early vote that it passed. They needed to be accountable and the decisions of the Board would be scrutinized to make sure they didn't fumble the ball. There was never a community meeting up north to organize the voting so they could be educated. He hoped they would learn those lessons.

Ms. Lucero said staff would have to work closely with the member organizations and appreciated their concerns and direction. The staff wanted to be everywhere they could but the members could help with it.
Commissioner Montoya also congratulated everyone, especially Los Alamos. They had active opposition in Santa Fe County. Transparency needed to be there and be accountable especially to those who did not support it. He agreed to work to make sure Santa Fe residents got what they asked for.
Mr. Dorame agreed. He didn't see anyone from NCRTD on the reservation but felt he had a responsibility to get out there. He was glad it passed but echoed the need to work on the opposition; to be prepared with proactive statements and not be reactive.
Mr. Valencia said it was a 2 year process. The vision was established by Los Alamos by their regional partnership agreements. Without that they probably would not be here today. Under Ms. Lucero's leadership, each staff member took on particular areas of work. The Governor's office stepping in and the 2 RTDs working together all impacted the outcome.
He encouraged the Boards to pursue private partnerships. Kit Carson Electric distributed 13,000 flyers; universities assisted. They were people who were our constituents.
Nationally, 70% of the RTD referendums were passed. Most of them first time out didn't get the public support. They saw high gas prices and then some decreases so they had some vulnerability and with economic downturn, there were those who didn't support it.
He said he would in the next 90 days the analysis precinct by precinct because they needed to bridge the support of the legislature
Chairman Herrera also applauded the staff efforts. The retreat was a very good idea and this was another issue they needed to address. Paramount in it all was the need to come together as government entities and bring resources to bear and he was proud to be part of the process here. They had a lot of work to do in the future. He was pleased it passed in all four counties. .

d. MOA Between County of Santa Fe and the NCRTD – Lucero

Chairman Herrera reminded the board that they passed a resolution early on to designate 86% of funds to be allocated to the City and County in Santa Fe for their use. This was the next step in how that would take place. It was presented now to provide input from the Board members to help figure out what needed to be done with this and many other items. He assured Commissioner Montoya that no one wanted to renege on this by any means. The process of dealings with these was probably also a subject for the retreat.
Commissioner Montoya noted that Mr. Valencia reminded the Board that Santa Fe County abstained on that vote. The next act Santa Fe County and City needed was to meet and make any changes to the service plan for ratification by the Board.

Mr. Bulthuis noted that both City and County had taken action at the RPA level and were clear what the goals were and from elected officials what direction they were to take. It was not an emergency situation and could be dealt with at a retreat.
Commissioner Montoya agreed the resolutions passed by NCRTD and the Commission back in September made it clear. So they wanted to make it clear in the MOA. He added that the Sierra Club backed and endorsed the tax. They have a big voting bloc and were important.
Mr. Basham explained that before the Commission voted, they had a resolution that was prepared; Commissioner Sullivan had prepared a resolution that the County reserved the right to withdraw. NCRTD had a special meeting in their conference room and accepted it on those terms. The City had not rejoined but Frank Katz said they would consider rejoining if there was an MOA. So that was why it was on the agenda.
Commissioner Montoya said he understood but felt it was redundant.
Commissioner Montoya moved to table the MOA.
Chairman Herrera recognized Mr. Mortillaro who agreed with Commissioner Montoya asking what it would accomplish. The other communities did not get a resolution or MOA.
Mr. Mortillaro seconded the motion to table.
Mr. Dorame reminded them of his concern about voting when the county pulled out and Tesuque did not pull out. Now with GRT coming into play, he asked if the county was voting on behalf of the pueblo or were the pueblos get a share of it. Nambe and Pojoaque and San Ildefonso and Santa Clara could have the same concerns. He asked what effect this would have on the tribes. He was trying to be as positive as possible and was saying this with the utmost respect. Commissioner Montoya was a good friend of the tribes. This was one of the things they really needed to look at. He was not sure if they needed to get the legal people in or not.
Councilor Romero said they were looking at a new foundation where trust had been broken and they needed to rebuild the trust. She was concerned whether a resolution or an MOA was in place. Mr. Katz felt the MOA was a better mechanism to put in place to rebuild the trust. So this was an issue that needed to be shaken out at a retreat. It was a balance for everyone and needed to be fair. She felt it was a good issue for retreat discussion and hoped whatever they came up was fair to all.
Mr. Martínez confirmed what Mr. Dorame said and felt a discussion at a retreat was very important. Tim Vigil and he had this discussion.
Commissioner Coríz thought the resolution that was already passed. When Santa Fe County decided to rejoin, that was part of the requirement. So he didn't think it was duplicating anything. They could iron out the details in a retreat.
The motion to table passed by unanimous voice vote.

e. Amended MOA Between County of Santa Fe and NCRTD to Provide Shuttle Service between Edgewood, Eldorado and the City of Santa Fe – Lucero

Ms. Lucero clarified this was the amended MOA to provide the G line. It came before the Board at the meeting in Pojoaque. It was going before Santa Fe County on the 18th for the County to match $100,000. The reason for bringing it back today was that when Mr. Guillen brought it to the Board before, they were short on money. Since then, Ms. Kaplan found some carry over money to make it a full year's contract

Ms. Kaplan said they had about $45,000 but found there were fuel surcharges they did not anticipate when gas prices went up so high and also stopped charging fares since June. So that was a $4,000 adjustment. That brought $44,800 to $22,200. That was approximately a month short. So they have to go to ten months instead of 12 months.

Chairman Herrera clarified that it was coming back as an amendment and changed only the time frame as of July 1, 2009.

Mr. Mortillaro thought it looked like a new MOA and asked about the form.

Ms. Lucero explained that they struggled with it because the County had not signed it. So they noted amended because they had it here before. If the Board approved it at this meeting they would take it to Santa Fe County this afternoon and then they would amend the contract with All Aboard America.

Mr. Valencia thought they should put this on the retreat also with the question of whether they should solicit memberships from these communities. There was also discussion about some kind of agreement for a bus shelter in Eldorado. In Section 4-b it talked about designing and constructing things. They got $15,000 for facilities. They didn't have a contract here with the county because they didn't know how it would work out with the County.

Ms. Lucero explained that the funding was approved by the Board but then the bids came in higher. Now, finding the money was still a question.

Commissioner Gonzales asked if the RPA had a grant to cover such shortfalls.

Commissioner Montoya said they would have to discuss it with RPA.

Commissioner Gonzales moved to approve the amended MOA. Commissioner Coríz seconded the motion.

Mr. Dorame noted in Section 4-f that they took action on the shelter and some security for the Eldorado project but didn't remember when they took that action.

The motion passed by unanimous voice vote.

f. City of Española Lease Agreement – Guillen

Ms. Lucero thanked Rio Arriba County and Española who were still housing the NCRTD. They were in two different places and there was 1.5 acres near the facility. The County would lease it to NCRTD for $1/year with a modular facility to bring operational and administrative staff together and get out of the County offices. The City had a facility down there built by FTA funds and with this transfer the NCRTD would give it back to the City for their uses. She added that the lease had been approved by Española.

Mr. Guillen provided some highlights. Attached to it was a copy of the city ordinance that provided for the lease aw adopted on Oct 28, 2008.He recommended approval.

Ms. Kaplan pointed out an incorrect address on page 2.

Chairman Herrera thanked Rio Arriba County for their generosity and to the City for agreeing to it. Mr. Guillen and staff did an outstanding job on it.

Commissioner Gonzales asked what improvements would be needed and their cost.

Ms. Lucero said they had a grant to purchase the facility for $100,000. The utilities were close to the road. They would have to do $15,000 improvements including shelters for the buses. The total cost was about $100,000 and the utility grading was $15,000 and already budgeted.

Commissioner Montoya asked if the lease was 36 months with 2 one-year options.

Mr. Guillen agreed.

Mr. Campos said the County just built a facility nearby. Costs already were past $120,000. The City didn't have the infrastructure there nor did the phone company. They were looking at $140,000 not including the fiber optic cable.

Mr. Guillen believed the utilities were available. Mr. Campos disagreed.

Councilor Romero said with the discussion about costs, she was concerned about termination at any time. It should have sufficient notice given the cost of infrastructure.

Mr. Basham said he did review it.

Mr. Guillen said the improvements needed by the County would only require a 1" water line and 4" sewer tap. They wouldn't need the fiber there.

Chairman Herrera asked Mr. Guillen to follow up, noting it could always be brought back to the Board.

Mr. Guillen agreed.

Mr. Pacheco suggested that preventing termination for 2-3 years would help recoup the costs for that building. Maybe Mr. Basham could address that.

Chairman Herrera asked if there was more work needed on the lease agreement. Chairman Herrera suggested the Board could approve it as was and deal with local government and other changes as needed. It might have to come back to the respective entities. This would be a temporary facility with discussions on a future permanent facility.
Councilor Romero asked if an ordinance could be amended by the Council.
Mr. Basham said that would take a little time and suggested they could just make changes to the lease itself.
Councilor Romero asked if they could pass this with the changes noted and would not have to see it brought back.
Mr. Basham agreed.
Councilor Romero moved to approve with the changes as made by the Board. Commissioner Gonzales seconded the motion and it passed by unanimous voice vote.

g. Vehicle Purchases Update – Trujillo

Ms. Lucero said when they were at Buffalo Thunder Ms. Trujillo gave an update on the vehicles and the request to purchase five 40' buses. Since then she has made a few changes but it was still five vehicles.
Ms. Trujillo explained that some of the stops could not accommodate a 40' bus turnaround. The recommendation was to purchase two 40' buses and three 34' buses. The Taos County Administration building had a large dip into the parking lot that could cause some rear end damage and was very small and when full did not provide enough room to turn around. Commissioner Gonzales shared a higher road they could use now. The Blue Spruce was still a big issue for left turns onto the highway.
Ms. Trujillo said they anticipated delivery in the third week of January. Ridership has held steady at over 6,500 so it warranted the vehicles. The two 40' buses would be used for the Santa Fe run and the Questa run. One 34' bus would goes to Peñasco and left the others for route upgrades.

h. Annual Driver Performance Raises – Trujillo

Ms. Lucero said their policies called for annual review in October. They need direction on what the Board wanted to do on raises.
Ms. Trujillo provided a handout on fringe benefits. The proposal was for a 3% increase. She explained the increases were only for drivers, the first line of contact. They lost only 2 drivers, one for a better job and one who moved away. At conferences, they were told if the drivers were paid well and chosen well, there was not a problem with retention. Each of the pay grades was a 3% step. She read her memo on available

funds. She shared the justifications for the increases and recommended that it be approved.
Chairman Herrera asked if the recommendation was for performance or COLA.
Ms. Trujillo said it was for performance.
Chairman Herrera asked if they were positioned for that before the GRT passed. Ms. Trujillo agreed.
Chairman Herrera noted that the City Española was still under collective bargaining so that should be stricken from the memo on page 2.
Commissioner Gonzales asked what kind of monthly cost increase would result.
Ms. Trujillo said it would be about $1,200/month. Most drivers were at $ 13.60 and some at $12.
Mr. Mortillaro said in Los Alamos the maximum raise was 2.5%. He asked about the other increase for CDL.
Ms. Trujillo said that would need to come back to the Board. The new buses required CDLs. One of the ten staff with a CDL was a supervisor. 2 buses in Taos County and 2 in Santa Fe County. So some sort of increase should be offered to the CDL holders.
Ms. Lucero briefly explained the policy was based on performance and not on COLA. All drivers with good performance would receive it. They did not approve any cost of living. The record should reflect no COLA...
Chairman Herrera thought at some point they might need to revisit the pay plan.
Mr. Mortillaro agreed.
Commissioner Gonzales asked why the $72,000 was returned to DOT.
Ms. Trujillo explained that the money had been for a Velarde program that was not activated and the JART did not begin when anticipated.
Chairman Herrera thought they need to consider whether a salary increase was warranted at this time. They just passed the GRT and this plan started a year ago in October. He asked if it was an issue or not.
Commissioner Coríz was not clear about fundings starting at different times. He didn't think they would get any backlash on this.
Ms. Trujillo briefly explained the two grants that started at different times (federal FY and state FY).
Chairman Herrera clarified that the NCRTD fiscal year was July to June. Ms. Kaplan agreed.

Commissioner Gonzales suggested having a set calendar of events on probation and evaluation.

Mr. Mortillaro moved to authorize a 3% increase for drivers for FY 2009. Commissioner Coríz seconded the motion and it passed by unanimous voice vote.

i. Vehicle Maintenance Bid Award – Guillen

Mr. Guillen explained the bid for vehicle maintenance and repairs. He sent out 4 packages, got 2 back, both from Española. He provided a break out of the various services and recommended awarding the contract to Professional Auto Services

Commissioner Coríz moved to approve the recommendation. Mr. Pacheco seconded the motion and it passed by unanimous voice vote.

j. Financial Report – Kaplan

Ms. Kaplan shared a Class List that she tracked in which some were more active than others. There were about 90 total and 60 were active. Each one had its own local match requirements that came from many different places. Some of the programs had as many as six different sources of funding. Employees whose work included several classes had salaries that were split out for the grants from which they were paid and calculated different fringe benefit options.

She showed the full financial report (195 pages this month) and explained that she then summarized it to a 7-8 page report for the Board. She said she had an assistant to help with tracking, now that the GRT was coming.

Ms. Lucero explained that office space was tight and Ms. Kaplan was out in the hallway now. She said there were two offices available next to them and the lease would be $1.05/sq. ft. instead of current $1.30/sq. ft. She recommended approval for the new lease.

Councilor Romero moved to approve the office lease. Commissioner Gonzales seconded the motion and it passed by unanimous voice vote.

k. Executive Director Update – Lucero

Ms. Lucero shared the final service plan from Gannett Fleming. They would now start going through the plan for implementation. She said she had a list of items to be considered at the retreat and suggested they might need to break it down into pieces.

4. ADDITIONAL HANDOUTS

5. PRESENTATION: Working Relationship between RPA and NCRTD – Councilor Romero

Considered above.

6. EXECUTIVE SESSION

Not considered.

7. MISCELLANEOUS ITEMS

The Board discussed possible dates for the retreat and came to no consensus.

Chairman Herrera asked that everyone tell Ms. Spero when she sends out the notice for the Board meetings if they could be present.

Chairman Herrera asked Mr. Harris to convey appreciation of the NCRTD to Secretary Faught.

Mr. Harris said they were happy that it passed. Congratulations from the Secretary as well.

Chairman Herrera invited those present to come to El Paragua for lunch afterward.

Councilor Romero asked the Board to consider coming to the new Santa Fe Community Convention Center for the next meeting.

8. NEXT BOARD MEETING: FRIDAY, DECEMBER 5, 2008

Several members could not be present on December fifth. After the meeting, the December Board meeting was rescheduled to December 19th at a place to be determined.

9. ADJOURN

Commissioner Coríz moved to adjourn the meeting. Commissioner Gonzales seconded the motion and it passed by unanimous voice vote.

The meeting was adjourned at 12:15 p.m.

Submitted by Carl Boaz.